

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

ALISA PARK, Individually)	
and on Behalf of All)	
Others Similarly Situated,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.
)	2:21cv509-MHT
)	(WO)
B & M MANAGEMENT COMPANY,)	
LLC,)	
)	
Defendant.)	

ORDER

Based on the agreement of the parties and the representations made on the record on May 9, 2022, it is ORDERED that:

(1) The joint motion to stay deadlines (Doc. 14) is granted.

(2) All deadlines in the uniform scheduling order (Doc. 10) are stayed, and the pretrial and trial dates, currently set for October 5, 2022, and December 12, 2022, are continued generally.

(3) The joint motion for conditional class certification and notice to class members (Doc. 11) is granted.

(4) The court conditionally certifies a collective consisting of "[a]ll Leasing Professionals, Assistant Community Managers, and Housekeepers who received a bonus or rent credit in connection with work performed in at least one week in which they worked over forty hours since August 2, 2019."

(5) The agreed "Notice of Overtime Lawsuit" (Doc. 11-1), "Consent to Join Collective Action" (Doc. 11-2), "Text of Electronic Transmissions" (Doc. 11-3), "Electronic Consent to Join" (Doc. 11-4), and "Reminder Postcard" (Doc. 11-5) forms are approved.

(6) The timeline set forth in the motion (Doc. 11 at 3-4, para. 7-10) for providing notice to potential collective members and for them to respond to the notice is approved and adopted by the court. Accordingly,

(a) Within seven days of the date of this order, defendant shall deliver to plaintiff's counsel an electronic database that contains the names, last known mailing addresses, and personal email addresses (if available) of all potential collective members (the "FLSA Class List").

(b) Within seven days of defendant's providing the FLSA Class List, plaintiff's counsel shall mail the Notice and Consent to Join to the members of the FLSA collective and email (if an email address is available) the Electronic Notice and Electronic Consent to the persons on the FLSA Class List.

(c) Forty-five days after the date of mailing and/or emailing of the Notice and Consent to Join, plaintiff's counsel shall email (if an email address is available) a reminder notice in the approved form and mail a reminder postcard in the approved form to all persons on the FLSA Class List who have not returned a Consent to Join.

(d) All persons who wish to join this lawsuit must either file a Consent to Join with the court or provide a Consent to Join to plaintiff's counsel within 90 days of the date that the Notice and Consent to Join are first mailed and/or emailed by plaintiff's counsel.

(7) The parties shall have a period of 60 days after the deadline for receipt of Consent to Join in which to attempt settlement.

(8) Every 60 days from the date of this order, the parties shall file a joint status report on the notice process.

(9) Within 60 days of the deadline for collective members to submit a Consent to Join, the parties shall file a joint status report concerning the status of any potential settlement and detailing any proposed next steps in the lawsuit. If the parties propose proceeding to discovery, they shall also submit a revised Rule 26(f) report.

DONE, this the 13th day of May, 2022.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE